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P. SULLIVAN**

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION**

ENRIQUE DIAZ,  
  
Plaintiff,  
  
v.  
  
R.A. KESSLER, et al.,  
  
Defendants.

NO. 5:14-cv-02145-EJD

**STIPULATION AND ~~PROPOSED~~ ORDER  
CONTINUING CASE MANAGEMENT  
CONFERENCE**

Current Deadline: December 21, 2017  
Requested Deadline: January 11, 2018

**HON. EDWARD J. DAVILA**

1 Plaintiff Enrique Diaz (“Diaz”) and Defendants A. Tankersley, S. Nunez, R.A. Kessler, and P.  
2 Sullivan (“Defendants”) jointly submit this stipulation and proposed order continuing the Case  
3 Management Conference, currently scheduled for December 21, 2017 at 10:00 a.m., to  
4 January 11, 2018 at 10:00 a.m. or a date thereafter that is convenient for the Court.

5 WHEREAS, a Case Management Conference is currently scheduled for December 21, 2017;

6 WHEREAS, Plaintiff and Defendants notified this court on December 6, 2017 that they were  
7 attempting to negotiate a settlement (Dkt. 80);

8 WHEREAS, the Court granted a stipulation extending the Case Management Conference  
9 deadlines on December 6, 2017 (Dkt. 81);

10 WHEREAS, Plaintiff and Defendants have reached an agreement in principle to settle the  
11 above-captioned matter; and

12 WHEREAS, Plaintiff and Defendants have exchanged a draft settlement agreement and are  
13 working to finalize their settlement in principle; and

14 WHEREAS, Plaintiff and Defendants have agreed to extend the deadline for the Case  
15 Management Conference, in the interests of efficiency and to facilitate documentation of the  
16 settlement.

17 NOW, THEREFORE, Plaintiff and Defendants, by and through their respective counsel,  
18 hereby stipulate to, and request that the Court approve, the following:

19 1. The Case Management Conference shall be continued from December 21, 2017 at  
20 10:00 a.m. to January 11, 2018 at 10:00 a.m., or a date thereafter that is convenient for the Court. A  
21 Joint Case Management Conference Statement shall be filed no later than January 4, 2018.

22  
23 Respectfully Submitted,

24 Dated: December 13, 2017

GIBSON DUNN & CRUTCHER LLP

25  
26 By: /s/ JESSICA L. WRIGHT

27 JESSICA L. WRIGHT

28 *Attorneys for Plaintiff Enrique Diaz*

1 Dated: December 13, 2017

2 WILLIAM P. BURANICH  
3 Deputy Attorney General

4 By: /s/ WILLIAM P. BURANICH  
5 WILLIAM P. BURANICH

6 *Attorneys for Defendants A. Tankersley, S. Nunez, R.A.*  
7 *Kessler, and P. Sullivan*

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DATED: December 13, 2017


By: /s/ JESSICA L. WRIGHT  
JESSICA L. WRIGHT

1 [PROPOSED] ORDER

2 Based on the foregoing stipulation and good cause being shown, the Court hereby GRANTS  
3 the parties' Stipulation. The Court hereby orders as follows:

- 4 1. The Case Management Conference is continued from December 21, 2017 at 10:00 a.m.  
5 to January 11, 2018 at 10:00 a.m. A Joint Case Management Conference Statement  
6 shall be filed no later than January 4, 2018.  
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8 PURSUANT TO STIPULATION, IT IS SO ORDERED this 14 day of  
9 December, 2017.  
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12 Honorable Edward J. Davila  
13 United States District Court Judge  
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